

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

TIMOTHY R. RUDD,

Plaintiff,

V.

ALABAMA DEPARTMENT OF  
CORRECTIONS, Kilby C.F.,

Defendants.

CIVIL ACTION NO. 2:20-CV-610-RAH

## ORDER

On April 16, 2021, the Magistrate Judge entered a Recommendation (Doc. 8) to which no timely objections have been filed. After an independent review of the file and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED;
2. This case is DISMISSED without prejudice prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B); and
3. No costs are taxed.

A separate Final Judgment will be entered.

DONE, this 19th day of May, 2021.

/s/ R. Austin Huffaker, Jr.  
R. AUSTIN HUFFAKER, JR.  
UNITED STATES DISTRICT JUDGE